IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Revision No.1953 of 2006
Date of decision: January 15, 2007.

Charanjit Singh

...**Petitioner(s)**

v.

Tarsem Singh & Ors.

...**Respondent(s)**

Present: Shri Harinder Kumar Aurora, Advocate for the petitioner.

Surya Kant, J. (Oral)

This revision petition has been filed by the complainant, who is aggrieved at the judgment and order dated 25.5.2006 passed by the learned Sessions Judge, Hoshiarpur whereby the respondents-accused, who were found guilty of committing an offence under section 323, 342, 506 IPC, have been ordered to be released on probation on furnishing personal bonds in the sum of Rs.10,000/- each for a period of one year.

As the judgment under challenge would reveal, there were civil and criminal litigation going on between the parties. The respondents-accused are not the previous convicts and have sufficiently suffered the agony of pending trial. Most of the injuries on the person of the complainant, as observed by the doctor, are bruises only and in these circumstances, the judicial discretion exercised by the learned Sessions Judge, warrants no interference.

Learned Counsel for the petitioner, however, relying upon a judgment of the Hon'ble Supreme Court in the case of **Hari Kishan and**

State of Haryana v. Sukhbir Singh, 1988(2) RCR (Crl.) 394, as also two judgments of this Court in case of (i) **Amarjit Singh & Ors. v. State of Haryana**, 1995(1) RCR (Crl.) 625; and (ii) **Kharak Singh & Ors. v. State of Punjab**, 2004(1) RCR (Crl.) 766, contends that while releasing the respondents-accused on probation, the learned Sessions Judge ought to have granted compensation to the petitioner.

After going through the aforementioned judgments and the nature of offences committed by the accused persons in those cases, as compared to the facts and circumstances of the present case, I am of the considered view that the release of the respondents on probation *per-se* cannot be said illegal merely because no compensation has been awarded.

Dismissed.

January 15, 2007. [**Surya Kant**]
kadyan **Judge**